

YKI-0077-C

REMARKS

Claims 5-11 are pending in the application. The Examiner asserts that the application contains embodiments directed to the following patentably distinct species of the claimed invention: species I: fig 6, species II: fig. 10A-10B; species III: Fig. 12, and species IV: Fig. 16A-16B.

Interview Summary

Applicant's undersigned representative would first like to thank the Examiner for conducting a telephone interview regarding this restriction. During that interview, Applicant's representative requested clarification as to which claims were being restricted, since Figures 17-20, not mentioned by the Examiner, were most on point for Claims 5-11. The Examiner did not group the claims for this restriction, rather the Examiner deferred to the Applicant to group and elect the claims.

Applicant hereby elects Claims 7-8, corresponding to Figures 17-20, with traverse. The Examiner has not shown how Claims 5-11 are drawn to patentably distinct inventions. For example, each claim comprises, *inter alia*, a "flattening layer", which covers at least a portion of the first electrode. Applicant further notes that Claim 7 is a generic claim. As such, if Claim 7 were found allowable Claims 5-6 and 8-11 would also be allowable.

Prosecution on the merits is respectfully requested. Consideration and allowance of Claims 7-8 are also requested. The foregoing is believed to be fully responsive to this office action.

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In the event the Commissioner for Patents deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fees be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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